

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.V.K.BALI

&

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 14TH DECEMBER 2006 / 23RD AGRAHAYANA 1928

WA.No. 2365 of 2006()

AGAINST THE ORDER IN WPC.32921/2006 Dated 12/12/2006

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APPELLANT: PETITIONER

RAHUL ANTONY SIMON,
28/3113, PONNETH TEMPLE ROAD,
KADAVANTHARA, COCHIN.

BY ADV. SRI.BECHU KURIAN THOMAS

RESPONDENTS: RESPONDENTS

1. MAHATMA GANDHI UNIVERSITY,
REPRESENTED BY ITS VICE CHANCELLOR,
ATHIRAMPUZHA, KOTTAYAM.
2. CONTROLLER OF EXAMINATIONS,
MAHATMA GANDHI UNIVERSITY, ATHIRAMPUZHA,
KOTTAYAM.
3. MOSC MEDICAL COLLEGE,
REPRESENTED BY ITS PRINCIPAL,
KOLENCHERY-682 311.

BY ADV. SRI.V.A.MUHAMMED, SC, M.G.UNIVERSITY

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION
ON 14/12/2006, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

V.K. BALI, C.J. & C.N.RAMACHANDRAN NAIR, J.

W.A.No.2365 OF 2006

Dated, this the 14th day of December, 2006

JUDGMENT

Ramachandran Nair,J.(Oral)

The appellant who is a final year medical student is not allowed to write the final year examination because he has not passed one examination in the second semester. Even though we are inclined to uphold the examination Regulation, since almost simultaneously supplementary examination in the subject in which appellant failed in second semester and the final year examinations are now being conducted, we feel the appellant can be permitted to write the final year examination along with the supplementary examination in the subject in which he failed. The Controller of Examinations is directed to provisionally permit the appellant to write the final year examination along with the supplementary examination in the second semester in the subject in which he failed. However, the Controller of Examinations will publish the final year results only if the appellant passes the

supplementary examination in the second semester. If there is delay in issuing the hall ticket, the Principal of the College will permit the appellant to write the final year examinations provisionally subject to the appellant producing the hall ticket later. The Controller of Examinations is directed to issue hall ticket immediately on production of a copy of this judgment. `

Writ appeal is disposed of accordingly.

**V.K. BALI,
CHIEF JUSTICE.**

**C.N.RAMACHANDRAN NAIR,
JUDGE.**

vns